

# In the Supreme Court of the State of Alaska

**Sandra J. Rusch,**  
Appellant,

v.

**Southeast Alaska Regional Health  
Consortium and Alaska National  
Insurance Company,**

Appellees.

**Brenda Dockter,**

Appellant,

v.

**Southeast Alaska Regional Health  
Consortium and Alaska National  
Insurance Company,**

Appellees.

AWCAC Appeal Nos. **17-001 / 17-002**

Supreme Court Nos. **S-17069/S-17070**

## **Order**

Striking Exhibits to Reply Brief to  
Opposition to Motion for Attorney's  
Fees

Date of Order: **2/24/20**

Appellants Sandra Rusch and Brenda Dockter filed a motion for attorney's fees on appeal. Appellees opposed. Appellants filed a reply brief and attached over 100 pages of documents to support their motion for attorney's fees. Appellee then filed a motion to strike the exhibits to the reply and order appellants to modify and re-file their reply brief. Appellants did not file a response to the motion to strike.

**IT IS ORDERED:**

The motion to strike the exhibits to the reply brief and to require appellants to re-file their reply brief is **GRANTED**. Many of the exhibits are not a matter of record – for example, printouts of web pages, documents from online resources, etc. Appellate Rule 508(f)(2) provides the procedure for a party to file a motion for attorney’s fees. That rule states that any motion for attorney’s fees shall have an attached affidavit of services rendered on appeal.

The court will permit the appellants to file an amended reply brief. The reply brief must be filed on or before **3/9/20**. To the extent the appellants wish to respond to any argument in the appellees’ opposition that requires factual support as to the services rendered and the value of these services, they shall file an affidavit not to exceed five pages. The appellees may file a sur-reply, also supported, if necessary, by an affidavit not to exceed five pages. The appellees sur-reply shall be due ten days after service of the appellants’ amended reply brief

Entered at the direction of an individual justice.

Clerk of the Appellate Courts

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Ryan Montgomery-Sythe, Chief Deputy Clerk

**Distribution:**

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